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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Christophe BOYER et al. : Examiner: KERNS, Kevin P.
Serial No.: 10/024,382 : Group Art Unit: 1725
Filed: December 21, 2001 :
For: DEVICE FOR SEPARATE INJECTION AND HOMOGENEOUS DISTRIBUTION OF
TWO FLUIDS

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

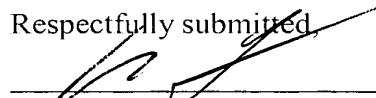
In response to the Office Action dated August 18, 2004, applicants elect with traverse Group I, claims 1-3, 5, 8-12, 14, 21, and 22, directed to apparatuses. As a species applicants elect Ib, wherein the vessel is a reactor. The traversal is on the grounds that the PTO has not established that it would pose an undue burden to search the full scope of the claims.

Applicants remind the Examiner of 37 CFR § 1.141, according to which an applicant is entitled to consideration of claims to additional species which are written in independent form or otherwise include all the limitations of an allowed generic claim.

Additionally, applicants bring the attention of the Examiner to MPEP § 821.04, Rejoinder, which states that "if the elected invention is directed to the product and the claims directed to the product are subsequently found patentable, process claims [both process of making and using] which either depend from or include all the limitations of the allowable product will be rejoined." If the restriction requirement is maintained at this point, rejoinder of the non-elected claims is respectfully requested at the proper time in accord with the rejoinder provisions of the MPEP.

Reconsideration is respectfully requested.

Respectfully submitted,


Csaba Henter (Reg. No. 50,908).
Attorney for Applicants

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